Examiner-Initiated Interview Summary	Application No.	Applicant(s)	
	10/064,727	FREEDMAN, ROBERT	
	Examiner	Art Unit	
	Tiffany A. Fetzner	2859	

All Participants:

(1) *Tiffany A. Fetzner*.

(2) *Bryan L. White Reg. No. 45,211*.

Status of Application: *Amended*

(3) _____.

(4) _____.

Date of Interview: *23 November 2005*

Time: *2pm*

Type of Interview:
- ☒ Telephonic
- ☐ Video Conference
- ☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No
If Yes, provide a brief description: .

Part I.

Rejection(s) discussed:
None

Claims discussed:
claim 1 in detail

Prior art documents discussed:
See Continuation Sheet

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:
See Continuation Sheet

Part III.

☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.

☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

(Examiner/SPE Signature) (Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Identification of prior art discussed: Lew et al., US patent 4,785,245; Freedman et al., US patent 6,032,101 and the fact that a resistivity measurement is a dielectric measurement of the type described in applicant's current invention; and Georgi et al., US patent application publication 2004/0055745 A1 which has a US provisional 60/369,268 with a US priority filing date of April 2nd 2002. .

Continuation of Substance of Interview including description of the general nature of what was discussed: Continuation of Substance of Interview including description of the general nature of what was discussed: The examiner spoke to applicant's representative, Bryan L. White Reg. No. 45,211 on November 23rd 2005 because features argued in the August 30th 2005 response were not claimed, but no resolution was reached.
The applicant's representative did confirm in the November 23rd 2005 telephonic interview, as a way of distinguishing between the 'relative" dielectric medium (i.e. the generic oil of Lew et al") and "specific" dielectric measurements of applicant's invention made with a separate non NMR tool (i.e. the applicant's argued but not claimed limitation) concerning "dielectric measurements" in general, that a 'resistivity measurement' of the type disclosed in applicant's own earlier Freedman et al., US patent 6,032,101 issued Feb. 29th 2000; which is effectively a prior art reference under 35 USC 102 (b), and was submitted for consideration by the examiner with the IDS of 5/31/2005, is a type of "specific" dielectric measurement within the scope of the instant application.
The examiner noted to applicant, in the November 23rd 2005 telephonic interview, that the term "resistivity is not found in the original disclosure of the instant application" and that the use of this term would constitute: "a new issue", grounds for a new search, a potential non-statutory double patenting problem, and potential "new matter', because figure 4 of Freedman et al., US patent 6,032,101 shows separate NMR measurements in step 405, separate "dielectric" resistivity measurements in step 409, and the combining of the separate NMR and resistivity measurements to determine Qv in step 417 that meets the features argued, in the August 30th 2005 amendment and response which are not presently claimed in the instant application.
The attorney agreed to consult with applicant and clarify the novelty of the instant application, over the 6,032,101 freedman et al., application in view of the examiner's next response. The examiner informed applicant that the examiner's response, would be based on the claims currently presented, and that currently the Lew et al., application was still appplicable because applicant fails to require in the claims that the dielectric measurements made are from a non-NMR device, and are not formed from any NMR components, the lack of this feature, still makes the Lew et al., reference applicable to the pending claims. The examiner was thanked for her time. .